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JOSE LOPEZ ZAMORA

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSE GUADALUPE LOPEZ-ZAMORA,
LEONARDO FLORES BELTRAN,
CHRISTIAN ANTHONY ROMERO,
JOAQUIN ALBERTO SOTELO VALDEZ,
ERIKA GABRIELA ZAMORA ROJO, JOSE
LUIS AGUILAR SAUCEDO, and ROSARIO
ZAMORA ROJO,

15 Defendants.

16 Case No.: 2:21-cr-007 DAD

17 AMENDED STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

18 Date: March 28, 2023
Time: 9:30 a.m.
Court: Hon. Dale A. Drozd

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23 Plaintiff United States of America by and through Assistant United States Attorney David

24 Spencer, and Attorney Todd Leras on behalf of Defendant Jose Lopez Zamora, Attorney

25 Christopher Cosca on behalf of Defendant Leonardo Flores Beltran, Attorney Kresta Daly on

26 behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin

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1 Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney
2 Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of
3 Defendant Rosario Zamora Rojo, stipulate as follows:

- 4
- 5 1. This matter is set for a status conference on March 28, 2023. Defendants move to
6 continue the status conference to June 27, 2023. A previous version of this
7 stipulation (ECF Document 438) inadvertently omitted Defendant Leonardo Flores
8 Beltran. Defendant Flores Beltran joins in the request to continue the status
9 conference.
 - 10 2. This case alleges the existence of a drug distribution conspiracy involving, among
11 other substances, fentanyl, cocaine, and methamphetamine. The Drug Enforcement
12 Administration's investigation included controlled purchases of various controlled
13 substances and the use of Court-authorized wiretaps on telephones associated with the
14 drug distribution conspiracy, including a phone being used to coordinate deliveries
15 from Mexico.
 - 16 3. This matter was originally assigned to Senior United States District Judge Morrison
17 C. England, Jr. On November 9, 2021, Chief Judge Mueller reassigned this matter to
18 United States District Judge John A. Mendez (ECF Entry 226). On March 3, 2022,
19 the United States filed a Superseding Indictment (ECF Entry 276). The Superseding
20 Indictment included, among other changes from the original Indictment, expansion of
21 the date range for the charged conspiracy by approximately one year. It also added a
22 money laundering conspiracy and heroin distribution charges. On April 19, 2022,
23 Chief Judge Mueller reassigned the matter to United States District Judge Troy L.
24

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1 Nunley due to Judge Mendez's change to senior status. (ECF Entry 317).

2 4. On August 5, 2022, Chief Judge Mueller, based on express consideration of the
3 equitable distribution of caseloads, reassigned this matter to this Court for all future
4 proceedings. (ECF Entry 357). On October 11, 2022, Attorney Martin Tejeda filed a
5 Motion to Withdraw as Counsel of Record for Defendant Erika Zamora Rojo (ECF
6 Entry 382). This Court heard and granted the motion to withdraw on October 25,
7 2022. (ECF Entry 393). The Court granted a substitution request allowing Attorney
8 Jennifer Mouzis to represent Defendant Erika Zamora Rojo as appointed counsel in
9 this matter on December 5, 2022. (ECF Entry 408).

10 5. The discovery in this case is voluminous, consisting of approximately 7,800 pages of
11 reports, transcripts, photographs, and other materials produced during the
12 investigation. The intercepted telephone calls alone comprise hundreds of hours of
13 conversations between various participants in both English and Spanish. On January
14 19, 2023, this Court approved the appointment of Discovery Coordinating Attorney
15 John C. Ellis to assist with the discovery materials produced by the government.
16 (ECF Entry 426). During the first week of March 2023, Mr. Ellis produced to
17 defense counsel flash drives containing the complete discovery materials produced to
18 date along with various tools to assist in accessing them. On March 21, 2023, defense
19 counsel received an email invitation to participate in training to use the tools and
20 programs needed to access all the discovery materials contained on the flash drives.
21
22 The training has not yet been scheduled.

23 6. Defendants Lopez Zamora and Sotelo Valdez are housed at the Wayne Brown
24

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1 Correctional Facility (WBCF) in Nevada City, California. WBCF is approximately
2 sixty-five miles from downtown Sacramento. Attorney travel for client visits is
3 therefore a necessary part of discovery review and defense preparation in this case.
4
5 In addition, WBCF restricts attorney use of electronic devices, requiring facility pre-
6 approval and assignment to a specific visiting area before access to audio and video
7 evidence during client meetings is permitted. These restrictions complicate review of
8 recorded portions of the discovery with Mr. Lopez Zamora and Mr. Sotelo Valdez.

- 9 7. All defense counsel require additional time to continue review of the discovery
10 materials with their respective clients and to conduct defense investigation stemming
11 from them.
- 13 8. Given the continuing defense review of the discovery materials and investigation of
14 matters related to them, Defendants request to continue the status conference to June
15 27, 2023. They further move to exclude time between March 28, 2023, and June 27,
16 2023, inclusive, under Local Code T-4. The government does not oppose the request.
- 18 9. All defense counsel represent and believe that failure to grant additional time as
19 requested would deny Defendants the reasonable time necessary for effective
20 preparation, considering the exercise of due diligence.
- 21 10. Based on the above-stated facts, Defendants jointly request that the Court find that the
22 ends of justice served by continuing the case as requested outweigh the best interest
23 of the public and the Defendants in a trial within the time prescribed by the Speedy
25 Trial Act.

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1 11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et
2 seq.*, within which trial must commence, the time period of March 28, 2023 to June
3 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and
4 (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court
5 at Defendants' request on the basis that the ends of justice served by taking such
6 action outweigh the best interest of the public and the Defendants in a speedy trial.
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8 12. Nothing in this stipulation and order shall preclude a finding that other provisions of
9 the Speedy Trial Act dictate that additional time periods are excludable from the
10 period within which a trial must commence.
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12 Assistant U.S. Attorney David Spencer, Attorney Christopher Cosca on behalf of
13 Defendant Leonardo Flores Beltran, Attorney Kresta Daly on behalf of Defendant Christian
14 Romero, Attorney Michael Long on behalf of Defendant Joaquin Sotelo Valdez, Attorney
15 Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney Dina Santos on behalf of
16 Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of Defendant Rosario
17 Zamora Rojo, have reviewed this stipulation and proposed order and authorized Todd Leras via
18 email to sign it on behalf of their respective clients.
19

20 DATED: March 21, 2023

PHILLIP A. TALBERT
United States Attorney

22 By /s/ Todd D. Leras for
23 DAVID SPENCER
24 Assistant United States Attorney

25 DATED: March 21, 2023

26 By /s/ Todd D. Leras
27 TODD D. LERAS
28 Attorney for Defendant
 JOSE LOPEZ ZAMORA

ORDER CONTINUING STATUS
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1 DATED: March 22, 2023

2 By /s/ Todd D. Leras for
3 CHRISTOPHER COSCA
4 Attorney for Defendant
5 LEONARDO FLORES BELTRAN

6 DATED: March 21, 2023

7 By /s/ Todd D. Leras for
8 KRESTA N. DALY,
9 Attorney for Defendant
10 CHRISTIAN ROMORO

11 DATED: March 21, 2023

12 By /s/ Todd D. Leras for
13 MICHAEL D. LONG,
14 Attorney for Defendant
15 JOAQUIN SOTELO VALDEZ

16 DATED: March 21, 2023

17 By /s/ Todd D. Leras for
18 JENNIFER MOUZIS
19 Attorney for Defendant
20 ERIKA ZAMORA ROJO

21 DATED: March 21, 2023

22 By /s/ Todd D. Leras for
23 DINA SANTOS
24 Attorney for Defendant
25 JOSE AGUILAR SAUCEDO

26 DATED: March 21, 2023

27 By /s/ Todd D. Leras for
28 SHARI RUSK
29 Attorney for Defendant
30 ROSARIO ZAMORA ROJO

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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES,
which the undersigned finds to meet the compelling good cause standard for a continuance set
forth in the court's December 8, 2022 order, it is hereby ordered that the status conference in this
matter, scheduled for March 28, 2023, is vacated. A new status conference is scheduled for June
27, 2023, at 9:30 a.m. The Court further finds, based on the representations of the parties and the
request of all defense counsel, that the ends of justice served by granting the continuance
outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be
excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to
allow necessary attorney preparation taking into consideration the exercise of due diligence for
the period from March 28, 2023, up to and including June 27, 2023. However, counsel are
advised that the court does not intend to continue the June 27, 2023 status conference established
by this order.

IT IS SO ORDERED.

Dated: **March 22, 2023**

Dale A. Droyd
UNITED STATES DISTRICT JUDGE

**ORDER CONTINUING STATUS
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